

OPINION 1502

Conus fergusonii G. B. Sowerby III, 1873 (Mollusca, Gastropoda): specific name conserved

Ruling

(1) Under the plenary powers it is hereby ruled that the specific name *fergusoni* G. B. Sowerby III, 1873, as published in the binomen *Conus fergusonii*, is to be given precedence over the specific name *fulvocinctus* Crosse, 1872, as published in the binomen *Conus fulvocinctus*, whenever the two names are considered synonyms.

(2) The name *fergusoni* G. B. Sowerby III, 1873, as published in the binomen *Conus fergusonii*, is hereby placed on the Official List of Specific Names in Zoology with the endorsement that it is to be given precedence over *fulvocinctus* Crosse, 1872, as published in the binomen *Conus fulvocinctus*, whenever the two names are considered synonyms.

(3) The name *fulvocinctus* Crosse, 1872, as published in the binomen *Conus fulvocinctus*, is hereby placed on the Official List of Specific Names in Zoology with the endorsement that it is not to be given priority over *fergusoni* G. B. Sowerby III, 1873, as published in the binomen *Conus fergusonii*, whenever the two names are considered synonyms.

History of Case 2239

An application for the conservation of *Conus fergusonii* G. B. Sowerby III, 1873 was received from Dr J. K. Tucker (105 E. Fayette, Effingham, Illinois 62401, U.S.A.) on 22 November 1977. After correspondence the case was published in BZN 35: 189–191 (February 1979). Notice of the case was sent to appropriate journals. A supportive comment was received from Dr W. O. Cernohorsky (Auckland Institute and Museum, Auckland, New Zealand) and published in BZN 36: 147–148 (October 1979).

Decision of the Commission

On 22 November 1982 the members of the Commission were invited to vote on the proposals published in BZN 35: 189–191. At the close of the voting period on 22 February 1983 the votes were as follows:

Affirmative votes — 18: Alvarado, Bayer, Brinck, Cocks, Corliss, Hahn, Halvorsen, Holthuis, Kraus, Melville, Mroczkowski, Ride, Schuster, Starobogatov, Trjapitzin, Uéno, Welch, Willink

Negative votes — 4: Dupuis, Heppell, Sabrosky, Savage.

Bernardi was on leave of absence. No votes were returned by Binder and Lehtinen.

Cogger abstained because the case presented for use of the plenary powers was inadequate, in that it failed to address fully the question of usage and stability.

While supporting the application, Ride questioned the need to conserve the name *Conus fulvocinctus*, Crosse, 1872 and also asked that the author should consider selecting a neotype for *Conus fergusonii* G. B. Sowerby III, 1873. This suggestion was put to the author but no reply has been obtained. In the absence of a reply and on advice that the application approved by the Commission is still timely, the Opinion is now published.

Original references

The following are the original references to the names placed on an Official List by the ruling given in the present Opinion:

fergusoni, *Conus*, G. B. Sowerby III, 1873, *Proceedings of the Zoological Society of London*, **1873**: 145.

fulvocinctus, *Conus*, Crosse, 1872, *Journal de Conchyliologie*, **20**: 214.